



Planning & Zoning Commission  
Minutes  
Thursday, May 7, 2015

The regular meeting of the New Market Planning and Zoning Commission was held on May 7, 2015 in the Town Hall, 39 West Main Street, New Market, Maryland, with Chairman Anthony Bruscia presiding. Members of the board present were as follows:

Linda Spoales	Vice-Chair
Aaron Gordon	Board Member
David Price	Board Member
Todd Hansen	Board Member
Dennis Kimble	Town Council Liaison

CALL TO ORDER: The meeting was called to order at 7:07 p.m.

**Public Hearing**

*Application and Petition for Planned Development District Floating Zone Map Amendment*

Chairman Anthony Bruscia opened the public hearing for the Application and Petition for Planned Development District Floating Zone Map Amendment.

*Notice is hereby given that the Town of New market, Maryland Planning and Zoning Commission will hold a public hearing on Thursday, May 7, 2015 at 7:00 p.m. in the Town Hall, 39 W. Main Street, New Market, Maryland 21774, to consider the Application and Petition submitted by MS Justron Farm, LLC and MS Charlyn Farm LLC for a Planned Development District (PDD) Floating Zone Map Amendment for the real property containing 262.41 acres, more or less, located on the East and West sides of Boyer Mill Road and North of Maryland Route 144 (Tax Map 79, Parcel Nos. 29 and 213), which is currently zoned R-2 (Medium Density Residential). A full description of the property by courses and distances is available for public review at Town Hall.*

The following exhibits were presented to the board:

- Public Newspaper notice
- Certification of mailing to the adjacent property owners
- Amended Application
- Letter from Frederick County Public Schools
- Letter from Bowman Consulting – Responding to comments generated in a technical advisory meeting with the applicant regarding: traffic, water and sewer, zoning map overlay.
- Summary of Comments and Responses
- Staff Report

Commission Chair Signature: \_\_\_\_\_

A handwritten signature in blue ink, appearing to read "Anthony Bruscia", is written over a horizontal line.

**Presentation given by: Bruce Galloway**

Chairman Anthony Burscia gave the following oath to Mr. Bruce Galloway the Town of New Market's zoning administrator and town planner.

"Do you solemnly declare and affirm under the penalties of perjury that your testimony in this matter will be the truth?"

Mr. Galloway accepted.

Mr. Galloway presented the staff report of the application for the floating zone. A floating zone was created in the Land Development Ordinance which is a floating ordinance, it exists in the zoning, but it doesn't come to rest on any piece of land until the planning commission and the Town Council approve it to come to rest in a particular location. As the town planner Mr. Galloway's findings confirm the application.

Chairman Anthony Burscia gave the following oath to Mr. Shawn Burnett the Town of New Market's Engineer with Wilson T. Ballard.

"Do you solemnly declare and affirm under the penalties of perjury that your testimony in this matter will be the truth?"

Mr. Burnett accepted.

Mr. Burnett will be able to provide any input on any questions regarding to the traffic, water or sewer reports as included in the application and agrees with Mr. Galloway's conclusions.

**Applicant:**

Chairman Anthony Burscia gave the following oath to Mr. Dave Severn, attorney representing the applicant, Tom Hyde, representing Miller & Smith, Donovan Corum, representing Bowman Consulting.

"Do you solemnly declare and affirm under the penalties of perjury that your testimony in this matter will be the truth?"

Mr. Severn, Mr. Hyde and Mr. Corum accepted.

Dave Severn, Tom Hyde and Donovan Corum presented the application to the board.

*(To hear the detailed conversation please refer to the tape back up)*

**Public Comment was given by the following:**

- Pete Spisszak – Wells and Associates
- Dave Bowman – Boyers Mill Rd.
- Steve McKay – Shakespeare Way, Monrovia
- Fred Dixon – 6079 Douglas Ave, New Market, MD (Summerfield)
- Joe Borowski - 10702 Old National Pike, New Market, MD
- Patricia Heath - 6101 Finn Place, New Market, MD
- Theresa Gaffney – 10600 Hepplewhite Way, New Market, MD
- Eric Besch – 6730 Spring Hill Dr., Frederick, MD

- Betsy Smith – 11258 Crickenberger Rd.
- Brent Simmons – Monrovia, MD
- Michele Rosenfeld – 11913 Ambleside Dr. Potomac, MD 20854

The public hearing was concluded.

**Administrative Business:**

*Minutes from April 2, 2015*

**Motion made by: David**, to approve the minutes.

**Seconded by: Aaron**

**Vote: For - 5** (Todd, Aaron, David, Dennis, Linda) **Against - 0, Abstain - 0**

The motion passed.

**HDC/ARC Liaison Report:** No report given.

*Adjourn meeting*

**Motion made by: Todd**, to adjourn the meeting.

**Seconded by: Linda**

**Vote: For - 5** (Linda, Aaron, Todd, David, Dennis) **Against - 0, Abstain - 0**

The motion passed.

Respectfully submitted,

Karen Durbin  
Clerk to Planning and Zoning